

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FRANCES CONSETTA RANDALL,

Plaintiff,

Case No. 20-cv-12144
Hon. Matthew F. Leitman

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

**ORDER (1) GRANTING IN PART AND DENYING IN PART PLAINTIFF’S
MOTION FOR SUMMARY JUDGMENT (ECF No. 15), (2) GRANTING IN
PART AND DENYING IN PART DEFENDANT’S MOTION FOR
SUMMARY JUDGMENT (ECF No. 16), AND (3) REMANDING THIS
ACTION FOR FURTHER ADMINISTRATIVE PROCEEDINGS**

In this action, Plaintiff Frances Consetta Randall challenges the denial of her application for Disability Insurance Benefits under the Social Security Act. (*See* Compl., ECF No. 1.) Randall and Defendant Commissioner of Social Security have now filed cross-motions for summary judgment. (*See* Mots., ECF Nos. 15, 16.)

On February 20, 2022, the assigned Magistrate Judge issued a Report and Recommendation in which he recommended that the Court (1) grant in part and deny in part each motion and (2) remand this action to the Commissioner for further administrative proceedings (the “R&R”). (*See* R&R, ECF No. 18.) At the conclusion of the R&R, the Magistrate Judge informed the parties that if they wanted

to seek review of his recommendation, they needed to file specific objections with the Court within fourteen days. (*See id.*, PageID.1874.)

Neither party has filed any objections to the R&R. The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). In addition, the failure to file objections to an R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Accordingly, because neither party has filed any objections to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommendation to (1) grant the motions in part and deny the motions in part and (2) remand this action to the Commissioner for further administrative proceedings is **ADOPTED**.

IT IS FURTHER ORDERED that (1) Randall's Motion for Summary Judgment (ECF No. 15) is **GRANTED IN PART AND DENIED IN PART** as set forth in the R&R, (2) the Commissioner's Motion for Summary Judgment (ECF No. 16) is **GRANTED IN PART AND DENIED IN PART** as set forth in the R&R, and (3) this action is **REMANDED** to the Commissioner for further administrative proceedings consistent with this order and the R&R.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: March 9, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 9, 2022, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager
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